

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Helmut SCHMIDHAMMER et al.

Serial No.: 10/519,388

Filed: December 23, 2004

For: Morphinan Derivatives The Quaternary
Ammonium Salts Thereof Substituted In Position
14, Method For Production And Use Thereof

Examiner: Aulakh, Charanjit

Group Art: 1625

Confirmation No.: 2841

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

S I R:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated August 20, 2008 of the Primary Examiner twice or finally rejecting claims 1-5 and 8-17.

The items checked below are appropriate:

1. ☒ The time for response to the Office Action of August 20, 2008 expires on November 20, 2008.
2. ☐ A _-month extension of time for response to the Office Action dated _ was filed on . [No additional extensions of time are required.]
- 3a. ☒ Applicants hereby request a (3) three-month extension of the original shortened statutory response period set in the Office Action of August 20, 2008. With this extension the deadline for filing the required paper will be **February 20, 2009**.

- 3b. ☐ This is not the first request for an extension of time relative to the outstanding paper. The period for response has already been extended by -month(s) by petition dated . Please extend the time for response by an additional -month(s). With this extension, the deadline for filing the required paper will be . Payment for the additional extension fee of \$ is enclosed.
4. ☒ Payment of **\$1,650.00** (\$540.00 appeal fee + \$1,110.00 extension fee) and any other fee applicable
☐ is enclosed herewith.
☐ No additional fee is required (fee paid in prior appeal).
☒ Charge the fee of **\$1,650.00** to Deposit Account No. 03-2412.
5. ☒ Charge any additional fees required, for example, for lodging this appeal or for filing the Appeal Brief, not otherwise paid, to Deposit Account No. 03-2412.

Respectfully submitted,
COHEN PONTANI LIEBERMAN & PAVANE LLP

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Dated: February 20, 2009